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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/710,679	07/28/2004	Patrick J. Rafter	FIS920040208USI	4678
32074	7590	06/24/2005	EXAMINER	
INTERNATIONAL BUSINESS MACHINES CORPORATION DEPT. 18G BLDG. 300-482 2070 ROUTE 52 HOPEWELL JUNCTION, NY 12533			LE, THANH TAM T	
			ART UNIT	PAPER NUMBER
			2839	

DATE MAILED: 06/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	10/710,679		RAFTER ET AL.	
	<b>Examiner</b>		<b>Art Unit</b>	
	Thanh-Tam T. Le		2839	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 05 May 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1 and 3-4 are rejected under 35 U.S.C. 102(b) as being anticipated by Tokumaru et al. (5,620,327).

Tokumaru et al., figure 1A and 1B, disclose an electrostatic dissipative alignment plate, comprising:

- a base (4) adapted to provide an interface between an integrated circuit (11) and a plurality of electrical conductors; and
- a frame (2) positioned on the base and adapted to receive the integrated circuit;

wherein the base comprising an insulating material and the frame comprising a conducting material (column 4, lines 40-50).

Regarding claim 3, the plurality of conductors are coupled to an electrical system (a printed circuit board, not shown).

Regarding claim 4, the integrated circuit comprising a plurality of device leads (12), each one of device leads is in contact with at least one of the plurality of conductors.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tokumaru et al. (5,620,327).

Regarding claim 7, Tokumaru et al. disclose the material used for making the bearer (2) is selected to have a resistance value ranging from  $10^{16}$  to  $10^{17}$  and from  $10^{10}$  to  $10^{14}$  (column 4, lines 35-50) except for the conducting material of proximately  $10^6$  Ohms/sq or less and the insulating material having a resistivity of approximately  $10^{12}$  Ohms/sq or greater.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide Tokumaru et al. to have the conducting material of proximately  $10^6$  Ohms/sq or less and the insulating material having a resistivity of approximately  $10^{12}$  Ohms/sq or greater, since it has been held that where the general conditions of a claim are disclosed in the prior art, discovering the optimum or workable

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ranges involves only routine skill in the art. In re Aller, 105 USPQ 233, in order to have a better conducting.

Regarding claim 8, Tokumaru et al. disclose the instant claimed invention as described above except for the conducting material is selected from the carbon and the insulating material is selected from glass-filled thermoplastics.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide Tokumaru et al. to have the conducting material is selected from the carbon and the insulating material is selected from glass-filled thermoplastics, since it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice. In re Leshin, 125 USPQ 416, in order to have better conducting.

5. Claims 2 and 5-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tokumaru et al. (5,620,327) in view of Hornchek et al. (6,541,991).

Regarding claim 2, Tokumaru et al. disclose the instant claimed invention as described above except for the base having a plurality of apertures.

Hornchek et al., figure 5, disclose an interface structure having a nesting portion (370) with a plurality of through hole (376). It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide Tokumaru et al. to have the nesting portion, as taught by Hornchek et al., in order to secure the electrical conductors.

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Regarding claims 5 and 6, Tokumaru et al. disclose the instant claimed invention as described above except for a pin/fastener adapted to attach the frame to the base.

Hornchek et al., figure 5, disclose an interface structure having a screw (379) is attached the nesting portion (370) and a positioning member (380). It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide Tokumaru et al. to have the screw, as taught by Hornchek et al., in order to secure the frame on the base.

6. Claims 9-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hornchek et al. (6, 541, 991) in view of Tokumaru et al. (5,620,327).

Regarding claims 9, 11 and 17, Hornchek et al., figure 5, disclose an electrostatic dissipative socket assembly comprising:

- a printed circuit board (310);
- a housing (350) adapted to contain a plurality of electrical conductors (320) and positioned on the printed circuit board;
- a base (370) positioned on the housing and adapted to provide an interface between an integrated circuit (100B) and the plurality of electrical conductors (320); and
- a frame (380) positioned on the base and adapted to receive the integrated circuit,

wherein the base comprising an insulating material.

Hornchek et al. disclose the instant claimed invention as described above except for the frame comprising a conducting material.

Tokumaru et al., figure 1A, disclose a bearer (2) comprising a conducting material (column 4, lines 46-50). It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide Hornchek et al. to have the bearer, as taught by Tokumaru et al. for a better conducting.

Regarding claims 10 and 18, Hornchek et al. disclose the base comprising a plurality of apertures (376).

Regarding claim 12, Hornchek et al. disclose the integrated circuit comprising a plurality of device leads (126B, figure 6C).

Regarding claims 13 and 14, Hornchek et al. disclose at least one pin/fastener (379).

Regarding claims 15-16 and 19-20, are rejected as same as claims 7 and 8 above.

### ***Response to Arguments***

7. Applicant's arguments filed 5/5/05 have been fully considered but they are not persuasive.

Applicant argues Tokumaru et al. ('327) fails to disclose or suggest a frame comprising a conductive material.

The Examiner disagrees. Although the resistance of the material used for making the bearer 2 is kept as a low value as possible in a range that can sustain the isolating characteristic (column 4, lines 53-55), but it still has resistance values ranging from  $10^{10}$  to  $10^{14}$  ohms. That means the bearer (the frame) comprising a conducting material.

For the above reason, it is believed that the other claims and the rejections should be sustained.

***Conclusion***

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

9. A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

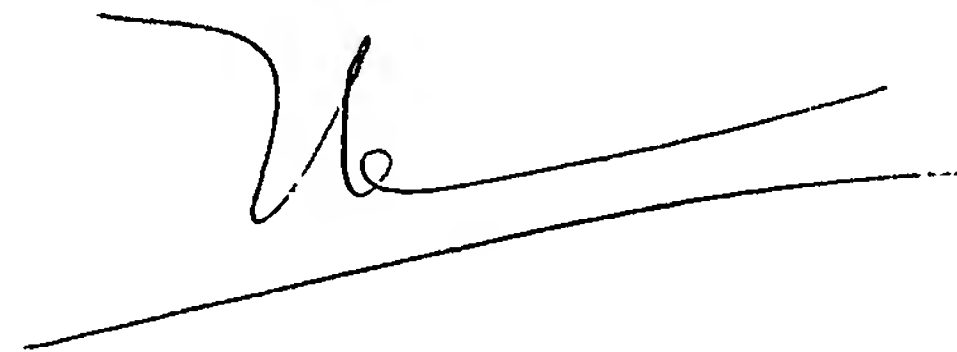
10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanh-Tam T. Le whose telephone number is 571-272-2094. The examiner can normally be reached on 7:30-5:00.

11. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, TC Patel can be reached on 571-272-2098. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.



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12. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Thanh-Tam T. Le  
Primary Examiner  
Art Unit 2839

TL.  
06/16/05.